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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,233	03/24/2000	Khai Hee Kwan		3307
23336	7590	10/09/2007		
KHAI HEE KWAN PETI SURAT 1178 SANDAKAN, 90713 MALAYSIA			EXAMINER GRAHAM, CLEMENT B	
			ART UNIT 3692	PAPER NUMBER
			MAIL DATE 10/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

09/534,233

Applicant(s)

KWAN, KHAI HEE

Examiner

Clement B. Graham

Art Unit

3628

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 6/29/2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 15-19 and 24-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-19 and 24-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### DETAILED ACTION

1. Claims 15-19, and 24-38, remained pending.
2. In view of the Appeal Brief filed on 06/29/07 PROSECUTION IS HEREBY REOPENED. New grounds of rejections are set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 15-19 and 24-38, are rejected under 35 U.S.C. 103(a) as being unpatentable over by Madden U.S. Pub: 2002/0082981 in view of Franklin et al(Hereinafter Franklin US Patent 6, 055, 518)..

As per claims 15-16, 18-19, Madden discloses a method for soliciting competitive terms of deposit operating on a deposit auction system, said system including a programmed computer connected to a network accessible by a plurality of users within a first selected period of time and anonymity means for concealing the identities of prospective depositors the method executable at said computer comprising:

a) receiving deposit application from a prospective depositor who is a respective one of the users (see column 3 para 0026, 0028, 0031 and 0035 and column 4) offering money securities or financial equivalent deposit offer terms (c) receiving from at least one financial institution, who is a respective one of the users communicating over the network, at least a for said deposit application wherein said bid being deposit terms, comprising at least type of guarantees, payment schedule, deposit rate, securities in

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exchange and terms of exchange. (see column 3 para 0026, 0028, 0031 and 0035 and column 4) offering money securities or financial equivalent deposit offer terms. (see column 3 para 0026, 0028, 0031 and 0035 and column 4).

Madden fail to explicitly teach receiving an electronic instruction from the prospective depositor, notifying and authorizing at least one selected financial institution to access a real identity and personal information of said prospective depositor for a second selected period of time and assigning a handle to conceal to broker a real identity of the said prospective depositor displaying said depositor's application anonymously.

However Franklin discloses invention to provide a secure distributed auction service that supports the submission of monetary bids for an auction and ensures the validity of the outcome, despite the malicious collaboration of arbitrarily many bidders and fewer than one-third of the auction servers comprising the service. The auction service should address all of the security issues mentioned above. In particular, the auction service should guarantee to declare the proper winning bidder, and to collect payment in the form of digital cash from only that bidder. It should also be guaranteed that no bid is revealed prior to the close of the bidding period. Moreover, it should be possible for bidders to submit anonymous bids. The resilience of the auction service to malicious auction servers can be leveraged to provide resilience to malfeasant auction house insiders. If, for example, each individual is allowed access to fewer than one-third of the servers, then corrupting an insider provides no advantage to a bidder in the auction. This reduces the incentive for buying off insiders in the auction house. (see column 1 lines 58-67 and column 2 lines 1-9 and column 10 lines 59-67 and column 11 lines 1-15).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Madden to include receiving an electronic instruction from the prospective depositor, notifying and authorizing at least one selected financial institution to access a real identity and personal information of said prospective depositor for a second selected period of time and assigning a handle to conceal to broker a real identity of the said prospective depositor displaying said

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depositor's application anonymously taught by Franklin in order to provide a secure distributed auction service that supports the submission of monetary bids for an auction and ensures the validity of the outcome, despite the malicious collaboration of arbitrarily many bidders.

As per claim 16, Madden discloses further comprising a step of receiving from prospective depositor communicating over the network, an electronic instruction selecting at least one of responsive financial institutions bided for said depositor's application. (see column 8 lines 27-67 and column 9 lines 1-67 and column 10 lines 1-7 and column 15 lines 45-67 and column 16 lines 1-45 see column 5 lines 10-30) and assigning a handle to conceal to broker a real identity of the said prospective depositor (see column 10 lines 1-7 see column 3 lines 45-65 and column 4 lines 5-65).

As per claim 17, Madden discloses the method according to claim 15, includes a step of verifying the ownership of said money, securities or financial equivalent as subscribed by deposit applicant. (see column 3 para 0026, 0028, 0031 and 0035 and column 4).

As per claim 24, Madden discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 15. (see column 3 para 0026, 0028, 0031 and 0035 and column 4).

As per claim 25, Madden discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 16. (see column 3 para 0026, 0028, 0031 and 0035 and column 4).

As per claim 26, Madden discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 17. (see column 3 para 0026, 0028, 0031 and 0035 and column 4).

As per claim 27, Madden discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 18. (see column 3 para 0026, 0028, 0031 and 0035 and column 4).

As per claim 28, Madden discloses a deposit auction system including a computer connected to a network programmed to perform the method of Claim 19. (see column 3 para 0026, 0028, 0031 and 0035 and column 4).

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As per claim 29, Maddendiscloses Computer executable software code stored on a computer readable storage medium implementing the method of claim 15. (see column 3 para 0026, 0028, 0031 and0035 and column 4).

As per claim 30, Maddendiscloses computer executable software code stored on a computer readable storage medium implementing the method of claim 16. (see column 3 para 0026, 0028, 0031 and0035 and column 4).

As per claim 31, Maddendiscloses computer executable software code stored on a computer readable storage medium implementing the method of claim 17. (see column 3 para 0026, 0028, 0031 and0035 and column 4).

As per claim 32, Maddendiscloses computer executable software code stored on a computer readable storage medium implementing the method of claim 18. (see column 3 para 0026, 0028, 0031 and0035 and column 4).

As per claim 33, Maddendiscloses computer executable software code stored on a computer readable storage medium implementing the method of claim 19. (see column 3 para 0026, 0028, 0031 and0035 and column 4).

As per claims 34-35, 37-38, Maddendiscloses a deposit auction system for soliciting competitive terms of deposit connected to a network, said network comprising at least one client computer and a programmed computer further comprising a database of deposit applications said network accessible by a plurality of users within a first selected period of time comprising:

a) means for receiving a deposit application from a prospective one of the users, offering money securities or financial equivalent offer terms (see column 3 para 0026, 0028, 0031 and0035 and column 4) means for receiving from at least one financial institution, who is a respective one of the users communicating over the network, at least bids for said deposit application offer wherein said bid being depositing terms (see column 3 para 0026, 0028, 0031 and0035 and column 4) comprising: type of guarantees, payment schedule, deposit rate, securities in exchange and terms of exchange (see column 3 para 0026, 0028, 0031 and0035 and column 4).

Madden fail to explicitly teach means for receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected financial institution to

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access a real identity and personal information of said applicant for a second selected period of time.(see column 5 lines 10-30).

anonymity means for assigning a handle to conceal a real identity of the said prospective depositor for and displaying said depositor's application anonymously. However Franklin discloses invention to provide a secure distributed auction service that supports the submission of monetary bids for an auction and ensures the validity of the outcome, despite the malicious collaboration of arbitrarily many bidders and fewer than one-third of the auction servers comprising the service. The auction service should address all of the security issues mentioned above. In particular, the auction service should guarantee to declare the proper winning bidder, and to collect payment in the form of digital cash from only that bidder. It should also be guaranteed that no bid is revealed prior to the close of the bidding period. Moreover, it should be possible for bidders to submit anonymous bids. The resilience of the auction service to malicious auction servers can be leveraged to provide resilience to malfeasant auction house insiders. If, for example, each individual is allowed access to fewer than one-third of the servers, then corrupting an insider provides no advantage to a bidder in the auction. This reduces the incentive for buying off insiders in the auction house.(see column 1 lines 58-67 and column 2 lines 1-9 and column 10 lines 59-67 and column 11 lines 1-15).

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teachings of Madden to include teach means for receiving an electronic instruction from the deposit applicant, notifying and authorizing at least one selected financial institution to access a real identity and personal information of said applicant for a second selected period of time.(see column 5 lines 10-30).

anonymity means for assigning a handle to conceal a real identity of the said prospective depositor for and displaying said depositor's application anonymously taught by Franklin in order to provide a secure distributed auction service that supports the submission of monetary bids for an auction and ensures the validity of the outcome, despite the malicious collaboration of arbitrarily many bidders. ◊

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As per claim 36, Madden discloses means for verifying the ownership of said money, securities or financial equivalent as subscribed by deposit applicant.

However verifying the ownership and authenticity of a document is old and well known in the art because the document would have had to consist of an identification number name of the owner and date acquired. (see column 3 para 0026, 0028, 0031 and 0035).

### **Conclusion**

### **RESPONSE TO Arguments**

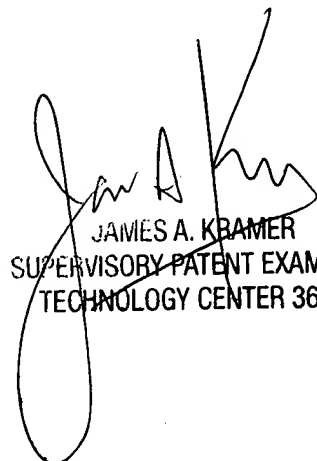
5. Applicant's arguments filed on 6/29/2007 have been fully considered but they moot in view of new grounds rejections.

6. Any inquiry concerning this communication or earlier communication from the Examiner should be directed to Clement Graham whose telephone number is 571-272-6795 Or Kambiz Abdi whose telephone number is 571-272-6702. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM. The fax phone number for this Art Unit is (703) 305-0040.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

CG

Sept 15, 2007.

  
JAMES A. KRAMER  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

10-1-07